UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

JAMES B. HEARNS, JR., * Case No. 1:02cv00496

Plaintiff * Judge Bertelsman

vs. *

JEFF WYLER FAIRFIELD, et al., * NOTICE OF APPEARANCE

Defendants. *

Notice is hereby given that the undersigned counsel will appear in this matter on behalf of defendants Jeffrey L. Wyler, Steve Baxla and Chuck Adomitis in their individual capacities.

Respectfully submitted,

s/ H. Elizabeth Mason

H. Elizabeth Mason, Bar No. 0051967 Nichols, Speidel & Nichols 237 Main Street Batavia, Ohio 45103 asw@fuse.net

CERTIFICATE OF SERVICE

I hereby certify that on December 26, 2004, I electronically filed the foregoing with the Clerk of Courts using the CM/ECF system which will send notification of such filing to Bryan R. Perkins, attorney for plaintiff, 119 East Court Street, Suite 314, Cincinnati, Ohio 45202.

s/ H. Elizabeth Mason H. Elizabeth Mason, Bar No. 0051967 Nichols, Speidel & Nichols 237 Main Street Batavia, Ohio 45103 asw@fuse.net